

**AGING, DEPARTMENT ON[17]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 231.14, 231.23 and 17A.3, the Department on Aging hereby amends Chapter 23, “Aging and Disability Resource Center,” Iowa Administrative Code.

New rule 17—23.7(231) establishes criteria and qualifications for an applicant to serve as an options counselor pursuant to this chapter. The rule establishes that options counselors shall submit to background checks, serve as mandatory reporters, adhere to mandatory reporter training rules and regulations, and meet minimum qualifications to serve as an options counselor.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 16, 2014, as **ARC 1423C**. No public comment was received.

Based upon comment received from the Administrative Rules Review Committee, one revision has been made to the rule published under Notice of Intended Action. Proposed paragraph 23.7(4)“d” required that a qualified options counselor obtain an associate’s degree in the field of human services. The requirement that an associate’s degree be obtained exclusively in a human services field has been omitted to create consistency with other degrees that qualify an individual to serve as an options counselor.

After analysis and review of this rule making, no adverse impact on jobs has been found.

This amendment is intended to implement Iowa Code chapter 231 and the Older Americans Act.

This amendment will become effective August 13, 2014.

The following amendment is adopted.

Adopt the following new rule 17—23.7(231):

**17—23.7(231) Options counselors.** An ADRC coordination center shall ensure that options counselors meet the requirements of this chapter and applicable federal and state law.

**23.7(1) Background checks.** All ADRC coordination centers shall establish and maintain background check policies and procedures that include, but are not limited to, the following:

a. A requirement that, prior to beginning employment, all options counselors, whether full-time, part-time, or unpaid, shall undergo criminal and abuse background checks.

b. A background check includes, at a minimum, a request that the department of public safety perform a criminal history check and the department of human services perform child and dependent adult abuse record checks of the applicant in this state.

c. Protocol for how to proceed in the event that an options counselor applicant is found to have a criminal history or history of child or dependent adult abuse.

**23.7(2) Mandatory reporters.** All options counselors shall be considered mandatory reporters pursuant to Iowa Code chapter 235B and shall adhere to federal and state law and applicable rules and regulations for mandatory reporters.

**23.7(3) Options counselor duties.** An options counselor shall provide options counseling that is person-directed and interactive and that allows the consumer to make informed choices about long-term living services and community supports based upon the consumer’s preferences, strengths and values.

**23.7(4) Options counselor minimum qualifications.** An options counselor shall possess the following minimum qualifications:

- a. Bachelor’s degree in a human services field; or
- b. License to practice as a registered nurse; or
- c. Bachelor’s degree and two years of experience working in the areas of aging, disabilities, community health, or hospital discharge planning; or
- d. Associate’s degree and four years of experience working in the areas of aging, disabilities, community health, or hospital discharge planning; or

*e.* License to practice as a licensed practical nurse and four years of experience working in the areas of aging, disabilities, community health, or hospital discharge planning.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/9/14.